

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky March 20, 2014

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on March 6, 2014 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the council: Council Members Mossotti, Myers, Scutchfield, Stinnett, Beard, Clarke, Ellinger, Farmer, Ford, Gorton, Henson, Kay, and Lane. Absent were Council Members Lawless and Akers.

The reading of the Minutes of the previous meeting was waived.

Resolutions No. 82-2014 through 104-2014, and Ordinances No. 19-2014 through 24-2014, inclusive, were reported as having been signed and published, and ordered to record.

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The Invocation was given by Rabbi Moshe Smolkin, Ohavay Zion Synagogue.

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Ms. Laura Hatfield, Mr. Larry Johnson, and Ms. Jodie Koch, Partners for Youth, came to the podium to make a presentation. The Mayor recognized that Partners in Education, a program created through the Fayette County Board of Education and the Fayette County Chamber of Commerce, awarded Partners for Youth the Golden Apple Award given to high performance community partners who use their expertise to benefit their school district. The Mayor thanked Partners for Youth for all the work they do in the community and welcomed them to talk about their mission.

Ms. Hatfield thanked the Mayor for the recognition and described the Partners for Youth Program. Last year the program served approximately 3,112 youth in the community. Ms. Hatfield talked about having a relationship with the business community and with the city government. She described multiple programs with which Partners for Youth works.

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Upon motion of Ms. Gorton, seconded by Mr. Kay, and approved by unanimous vote, the Council went into Closed Session at 6:16 p.m. pursuant to KRS 61.810(1)(c) for the purpose of discussion concerning proposed or pending litigation against or on behalf of the Lexington-Fayette Urban County Government.

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Upon motion of Ms. Gorton, seconded by Mr. Myers, and approved by unanimous vote, the Council returned to Open Session at 6:56 p.m. with the same members present.

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Upon motion of Mr. Ellinger, seconded by Ms. Gorton, the Minutes of the March 6, 2014 Council Meeting were approved by unanimous vote.

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The following ordinances were given second reading. Upon motion of Mr. Stinnett, seconded by Mr. Lane, the ordinances were approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0

An Ordinance creating a Historic District (H-1) Overlay zone for approximately 0.40 net (approximately 0.532 gross) acres, for properties located at 149 and 151 Jefferson St.; 611, 638-640 and 644 Ballard St.; and 609 W. Short St. (rear portion). (Urban County Planning Commission-Council District 2).

An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone, for 1.168 net (1.488 gross) acres, at 164-200 Simpson Ave. (even only); and 1106 & 1108 Stillwell Ave. (Anderson Campus Rental Properties; Council District 3).

An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Payroll Analyst, Grade 115E, in the Div. of Accounting, appropriating funds pursuant to Schedule No. 46, effective upon passage of Council.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$4,200 for Safety Vests for the Div. of Community Corrections, and appropriating and re-appropriating funds, Schedule No. 49.

An Ordinance pursuant to Section 6.12 of the Lexington-Fayette Urban County Government Charter transferring the Div. of Human Resources from the Dept. of Law to the Office of the Chief Administrative Officer; transferring all incumbents and all vacant positions at their current job classification, pay grade and salary; amending Sections 21-5(2) of the Code of Ordinances to renumber the affected sections; effective July 1, 2014.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 47.

An Ordinance approving and adopting the "Lexington Jobs Fund Policies and Guidelines" and providing for an annual review of the program by the Urban County Council.

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An Ordinance creating Section 1-13 of the Code of Ordinances of the Lexington-Fayette Urban County Government to provide for use of the name "Lexington" for identification or promotional purposes was on the docket for first reading.

Mr. Lane gave a presentation about branding and marketing. He gave examples of letterheads, business cards and signage used by different departments in the Lexington-Fayette Urban County Government.

The Ordinance was given first reading and ordered placed on file until April 10, 2014 for public inspection.

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Mr. Myers made a motion, seconded by Mr. Ellinger, that an Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to provide \$75,000 for projects at Berry Hill Park and appropriating and re-appropriating funds, Schedule No. 53 be placed on the docket and given first reading.

Ms. Gorton asked Mr. Myers for information on this ordinance.

Mr. Myers gave background information on this ordinance.

Mr. Myers's motion **passed** by unanimous vote. The ordinance was given first reading and ordered placed on file until April 10, 2014 for public inspection.

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The following ordinances were given first reading and ordered placed on file until April 10, 2014 for public inspection.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of GIS Specialist, Grade 114N, and creating one (1) position of Administrative Specialist Principal, Grade 114E, both in the Div. of Enterprise Solutions, appropriating funds pursuant to Schedule No. 51, effective upon passage of Council.

An Ordinance amending Section 23-5(2) of the Code of Ordinances, abolishing one (1) position of Police Captain, Grade 318E, and creating one (1) position of Police Lieutenant, Grade 317E, both in the Div. of Police, appropriating funds pursuant to Schedule No. 50, effective upon passage of Council.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 48.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant

funds are in the amount of \$135,000 Commonwealth of Ky. funds from the Law Enforcement Service Fee Program, are for support of the cost of police overtime hours for a Traffic Alcohol Patrol and the purchase of PBT units, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget was on the docket for first reading.

Upon motion of Mr. Clarke, seconded by Ms. Gorton, and approved by unanimous vote, the resolution was amended to change the amount of funds to \$132,500 and to indicate that the Urban County Government will be obligated for the expenditure of \$2,500 as a local match. Mr. Clarke stated this was a material change and would require a new first reading.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$132,500 Commonwealth of Ky. funds from the Law Enforcement Service Fee Program, are for support of the cost of police overtime hours for a Traffic Alcohol Patrol and the purchase of PBT units, the acceptance of which obligates the Urban County Government for the expenditure \$2,500 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget was given first reading as amended.

Upon motion of Mr. Clarke, seconded by Mr. Ford, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0

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The following resolutions were given second reading. Upon motion of Ms. Gorton, seconded by Ms. Mossotti, the resolutions were approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0

A Resolution accepting the bid of Peterbilt of Louisville, establishing a price contract for Front Loader CNG Refuse Vehicles, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of ZKB Construction Services, LLC, in the amount of \$10,130; Ecomend in the amount of \$3,500; Swartz Mowing, Inc., in the amount of \$6,800; and Pack's Nursery and Landscaping, LLC, in the amount of \$3,150, for honeysuckle removal on greenways and trails, for the Div. of Parks and Recreation.

A Resolution accepting the bid of ChemTreat, Inc., establishing a price contract for Manhole Odor Control Chemical and Containment Delivery System, for the Div. of Water Quality.

A Resolution accepting the bid of M-B Companies, Inc., establishing a price contract for Sweeper Brooms, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Probationary Civil Service Appointments of: Alex Hicks, Public Service Supervisor, Grade 111N, \$18.096 hourly in the Div. of Streets and Roads, effective February 24, 2014; and Wanda Kean, Administrative Officer, Grade 118E, \$2,722.64 biweekly in the Div. of Facilities and Fleet Management, effective March 24, 2014; ratifying the Permanent Civil Service Appointment of: Jalie Halcomb, Child Care Program Aide, Grade 107N, \$12.458 hourly in the Div. of Family Services, effective February 5, 2014, Daniel King, Skilled Trades Worker, Grade 111N, \$14.739 hourly in the Div. of Parks and Recreation, effective February 10, 2014, Carl Lilly, Public Service Supervisor, Grade 111N, \$21.313 hourly; and Robert Thomas, Public Service Worker Sr., Grade 107N, \$13.441 hourly both in the Div. of Facilities and Fleet Management, effective March 2, 2014.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Winburn Neighborhood Association, Inc. (\$250), Lexington

Music Alliance (\$3,125), and Bluegrass.org (\$2,150), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

Resolution amending Resolution No. 8-2013 to include Polydyne, Inc., as an accepted bidder, and establishing a price contract with Polydyne, Inc., for Polymer Flocculants, for the Div. of Water Quality.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Ky. State Police, for network data center hosting.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept Deeds for property interests needed for the Hillenmeyer Pump Station Decommissioning Project, at a cost not to exceed \$8,472.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept a Deed for property interests needed for greenway at 1700 Bryant Rd. in the Brighton Pl. Subdivision for use as a bike/walking trail, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with EOP Architecture, for the replacement Senior Citizen Center Design Contract #8-2014, increasing the contract price by the sum of \$5,950 from \$158,965 to \$164,915.

A Resolution authorizing the Dept. of Environmental Quality and Public Works to procure professional services from MKSK, a sole source provider, for the Lexington Streetscape Phase One Vine Street/South Limestone and Cheapside/Main Street Site Amenities Projects, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with MKSK, at a cost not to exceed \$31,455.78.

Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security, for extension of the Hazardous Devices Unit Bomb Squad Project through August 31, 2014, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Commonwealth Attorney, 28th Judicial Circuit for additional Federal funds in the amount of \$6,000, for services under the 2011 Project Safe Neighborhood Program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment #1 to the Agreement with Bluegrass Area Development District, to accept additional Federal funds in the amount of \$22,802 for operation of the Lexington Senior Citizens Center.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement with American Municipal Tax-Exempt Compliance Corp. (AMTEC) for Arbitrage Rebate Computation for General Obligation Bonds, at a cost estimated not to exceed \$5,700.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Louis Guida Consulting/SPQR for the Legacy Trail Interpretative Sign Project - RFQ # 38-2013 at a cost not to exceed \$18,750.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$75,000 Federal funds, and are for continuation of the Street Sales Drug Enforcement Project, the acceptance of which obligates the Urban County Government for the expenditure of \$25,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two to the contract with Todd Johnson Construction Co., for construction of Meadows/Northland/Arlington Public Improvements Project, Phase 5A, increasing the contract price by the sum of \$70,360.42 from \$1,485,989.57 to \$1,556,349.99.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Professional Services Agreements with Carrie Barnett, Brigitte

Holleran, Angela Wallace, Lauren Vincent, Melissa Young-Flynn and Susanna Moberly, as Sexual Assault Nurse Examiners, to provide on-call forensic examinations under the Sexual Assault Nurse Examiner Program, at a cost not to exceed \$40 for each scheduled on-call period, \$230 for each completed forensic examination, \$50 per case for professional testimony in court, and the reasonable cost of medical liability insurance.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with The First Bracktown Inc. BMW Academy (\$1,400), and Fayette County Neighborhood Council, Inc. (\$975), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

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A Resolution accepting the bid of E.C. Matthews Co. Inc., in the amount of \$58,320, for Catwalk Installation for Dunbar Center, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with E.C. Matthews Co. Inc., related to the bid was given first reading.

Upon motion of Mr. Ford, seconded by Ms. Scutchfield, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0

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A Resolution accepting the bid of ZKB Construction Services, LLC, in the amount of \$49,834, for Downtown Ash Tree Replacement, for the Dept. of Environmental Quality and Public Works was given first reading.

Upon motion of Mr. Farmer, seconded by Ms. Henson, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointment: Erica Williams, Staff Assistant Sr., Grade 108N, \$13.283 hourly in the Div. of Human Resources, effective April 1, 2014 was given first reading.

Upon motion of Ms. Henson, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Sworn Appointments: Patrick Miller, James Murray, Ryan Wilson, Ryan Stull, Joshua Slugantz, Anthony Porco, Steven Mohr, Sean Bessin, Benjamin Runnels, Mark Renfro, Justin Titre, Keaton Reeves, Anthony Mathies, Danny Clemmons, Paul Holland, Zachary Schlott, Zachary Lieb, Christopher Riley, Ramey Hanna, James Adkins, Brandon Mobley, Nicholas Creamer, Justin Yates, Spencer Garten, Matthew Anderson, Erick Sammons, David Ware, Benedict Heslen, Alex Laughary, Zachary Kersey, Gregory Hanner, Kevin Kleier, Martin Ashford, Brandon Irvin, Grant Klinksiek, Theodore Bother, Stephen Horan, Charles Ashford, Miranda Turner, Brandon Tipton, Jordan Davis, and Joshua Nicholas, all Firefighters, Grade 310N, \$14.42 hourly in the Div. of Fire and Emergency Services, effective upon passage of Council was given first reading.

Upon motion of Ms. Henson, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0
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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and to accept a Deed for the property located at 272 Derby Dr. from Erik Miller, for the Derby Drive Storm Water Improvement Project, and authorizing payment in the amount of \$2,475, plus usual and appropriate closing costs was given first reading.

Upon motion of Ms. Gorton, seconded by Mr. Lane, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0
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A Resolution authorizing the Dept. of Environmental Quality and Public Works to accept the quotation from Dura Art Stone, a sole source provider, for the purchase of planters to complete the Lexington Streetscape Phase One Project, at a cost not to exceed \$70,113 was given first reading.

Upon motion of Mr. Farmer, seconded by Ms. Henson, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0
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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents,

and to accept Deeds for property interests needed for the Rogers Rd. Stormwater Improvements Project, at a cost not to exceed \$7,500 was given first reading.

Upon motion of Ms. Gorton, seconded by Mr. Ellinger, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0
* * *

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Transportation Cabinet, Office of Highway Safety Programs, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$20,000 Federal funds, for additional enforcement services for the Distracted Driving Project, and the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget was given first reading.

Upon motion of Ms. Gorton, seconded by Mr. Ellinger, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0
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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Palomar Hills Community Association (\$500), Seedleaf, Inc. (\$2,950), Foodchain (\$2,600), Imani Family Life Center (\$1,200), Lexington District Branch #23 of the National Association of Black Veterans, Inc. (\$750), for the Office of the Urban County Council, at a cost not to exceed the sums stated was given first reading.

Upon motion of Ms. Gorton, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0
* * *

A Resolution endorsing the Mayor and Dept. of Finance proceeding with expenditures to be paid for out of FY2014 funding in a total amount of \$10,000,250, with further information to be provided to the Urban County Council for final action, including the allocation or re-allocation of any funding was on the docket for first reading.

Mr. Ellinger stated there was a discrepancy between the motion he made concerning this resolution at the Work Session and the actual language of the resolution. He clarified the discrepancy in the amount.

The resolution was given first reading. Upon motion of Mr. Kay, seconded by Mr. Ford, the rules were suspended by majority vote of 12-1. (Mr. Lane voted no)

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Clarke,
Ellinger, Farmer, Ford, Gorton, Henson,
Kay -----11

Nay: Beard, Lane -----2
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Upon motion of Ms. Gorton, seconded by Mr. Ellinger, and approved by unanimous vote, a Resolution authorizing the Mayor, on behalf of the Urban County Government, to negotiate and execute any necessary documents related to the workout of the Lexington Downtown Housing Fund, LLC, Loan to Artek, LLC, contingent upon the documents resulting in anticipated payment to the Urban County Government of at least \$150,000 was placed on the docket and given first reading.

Upon motion of Ms. Gorton, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0
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Ms. Gorton made a motion, seconded by Mr. Clarke, that a Resolution requesting that the Ky. Transportation Cabinet include the design and construction of a section of the Town Branch Trail within the current plans for expansion of New Circle Rd. between Georgetown and Versailles Rds., and directing the Council Clerk to Distribute a copy of this Resolution to the Secretary of the Kentucky Transportation Cabinet be placed on the docket and given first reading.

Mr. Van Meter Petit, Constitution St., spoke about trails in Lexington being completed in a cost effective fashion. He thanked the Council for bringing this resolution to the docket.

Ms. Gorton's motion passed by unanimous vote.

The resolution was given first reading. Upon motion of Ms. Gorton, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Beard,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, -----13

Nay: -----0
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Mr. Farmer made a motion, seconded by Mr. Myers, that a Resolution delaying the further implementation and enforcement of Resolution No. 693-2013, pertaining to the establishment of a Residential Parking Permit Program for the 500 block of Stratford Dr., until the end of the 2013-2014 Fayette County school year be placed on the docket and given first reading.

Mr. Don Hatch, Stratford Dr., spoke about the Residential Parking Permit Program process. He spoke about the problems created by student parking on his street.

Mr. William Fletcher, Stratford Dr., spoke about the population increase in his area and at Lexington Catholic. He spoke about safety issues with parking on Stratford Dr.

Mr. Clarke stated the Stratford Dr. Residential Parking Permit Program was passed in accordance with the rules in place, but changes should be made to this process in the future. He stated he has received negative emails concerning this matter.

Mr. Ellinger asked Mr. Farmer what the outcome of this motion will be since signs have already been erected on Stratford Dr. and permits have been purchased. Mr. Farmer stated that the start of the permit program will be delayed until after the end of the school year.

Mr. Kay asked who received notification of the Residential Parking Permit Program process. Mr. Derek Paulsen, Commissioner of the Dept. of Planning, Preservation and Development, stated he will contact LexPark and get that information back to Council.

The Council discussed the motion and the Residential Parking Permit Program process.

Mr. Farmer's motion **failed to pass** by a majority vote of 6-7 (Mossotti, Beard, Clarke, Ford, Gorton, Henson, and Kay voted **no**.)

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The following resolutions were given first reading and ordered placed on file until April 10, 2014 for public inspection.

A Resolution accepting the bid of Transportation Equipment Sales Corp. (TESCO), in the amount of \$56,925, for a Paratransit Shuttle Bus, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Probationary Civil Service Appointments of: Beth Beldon, Human Resources Manager, Grade 119E, \$2,390.16 biweekly in the Div. of Human Resources, effective March 24, 2014, Michael Tester, Fleet Operations Manager, Grade 116E, \$2,516.32, David Shelton, Fleet Operations Manager, Grade 116E, \$2,523.60, both biweekly in the Div. of Facilities and Fleet Management, effective April 14, 2014; ratifying the Permanent Civil Service Appointments of: Oliver Lee Steele, IV, Code Enforcement Officer, Grade 113N, \$21.880 hourly, Coe-Ee Parks, Nuisance Control Officer, Grade 111N, \$16.684 hourly, both in the Div. of Code Enforcement, effective March 9, 2014, Melissa Bowman, Equipment Operator Sr., Grade 109N,

\$13.025 hourly, effective March 2, 2014, James Heard, Equipment Operator Sr., Grade 109N, \$12.586 hourly, effective February 4, 2014, both in the Div. of Waste Management, Joel Nkane, Skilled Trades Worker Sr., Grade 112N, \$17.435 hourly, effective March 9, 2014, Robin Goldie, Skilled Trades Worker, Grade 111N, \$15.741 hourly, Robert Nichols, Electrical Instrumentation Tech, Grade 113n, \$22.239 hourly, Rhodney Harris, Electrical Instrumentation Tech, Grade 113N, \$25.672 hourly, all in the Div. of Facilities and Fleet Management, effective February 26, 2014; ratifying the Unclassified Civil Service Appointment of: James York, Deputy Coroner, Grade 112N, \$16.551 hourly in the Office of the Coroner, effective March 24, 2014.

A Resolution authorizing the Div. of Facilities and Fleet Management, on behalf of the Urban County Government, to authorize the repair and maintenance of Mack garbage compactors, by Worldwide Equipment, Inc., a sole source provider, at a cost not to exceed \$50,000.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #3 to provide garbage and refuse collection; finding a need for this service in the area included; finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following street: 211 through 611 Arcadia Pk.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #5 to provide street lighting and garbage and refuse collection; finding a need for these services in the area included; finding the ability of the Urban County Government to provide these services in this area, which area is defined as certain properties on the following street: 107 Arcadia Pk. through 209 Arcadia Pk.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Bush & Burchett, Inc., for the Grimes Mill Rd. Bridge Replacement at Boone's Creek, for the Div. of Grants and Special Programs, increasing the contract price by the sum of \$50,676.00 from \$643,172.59 to \$693,848.59.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Catering Contract with the Hyatt Regency Lexington, for catering services for the Senior Intern Luncheon, at a cost not to exceed \$5,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Matrix Group for research surveys related to environmental issues at a cost not to exceed \$35,845.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Ky., for space in the University of Ky. Hospital emergency room for use as a clinical practice area for the Sexual Assault Treatment Program, at a cost not to exceed \$3,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Renewal Agreement with Omnisource Integrated Supply, LLC, for WebEOC Coordinator Services, at a cost not to exceed \$41,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to approve a purchase with Omnisource Integrated Supply, LLC, for additional inventory specialist services, at a cost not to exceed \$27,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Greenhouse 17 and Bluegrass Rape Crisis Center, Inc., for services under the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program, at a cost not to exceed \$67,900 and \$12,000, respectively.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an award of \$5,000 in cash, \$5,000 in gift cards, and \$10,000 in in-kind services from the International Council for Local Environmental Initiatives-Local Governments for Sustainability USA, for implementation of a Green Business Challenge Program, and the acceptance of which does not obligate the Urban County Government for the expenditure of funds.

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Upon motion of Mr. Farmer, seconded by Ms. Gorton, and passed by unanimous vote, the Communications from the Mayor were approved and are as follows: (1) Recommending the reappointments of Mr. Charles Fields and Ms. Joyce Parks to the Charles Young Center Advisory Board, with terms to expire 3/1/2018; (2) Per. Sec. 2-

253 of the Code of Ordinances, Ms. Rashmi Adi-Brown is designated Board Chair and Ms. Velva Reed-Barker is designated Vice Chair of the Domestic Violence Prevention Board; (3) Recommending the reappointment of Ms. Vanessa Sanford to the Dunbar Neighborhood Center Board with term to expire 3/20/2018; (4) Recommending the appointment of Mr. Wesley Barringer, as Commerce Lexington representative, to the Ethics Commission, with term to expire 3/1/2015. Mr. Barringer's confirmation hearing was held 3/6/14; (5) Recommending the reappointment of Mr. David Elsen, as At-Large representative, to the Keep Lexington Beautiful Commission, with term to expire 2/1/2018; (6) Recommending the appointment of Mr. Charles Webster to the Parks and Recreation Advisory Board, with term to expire 1/14/2016. Mr. Webster will fill the unexpired term of Mr. Robert Simpson, 4th District representative; (7) Recommending the appointment of Mr. Joseph Smith to the Planning Commission, with term to expire 7/1/2014. Mr. Smith will fill the unexpired term of Ms. Eunice Beatty; and (8) Recommending the appointment of Council Member Steve Kay to the Town and Gown Commission, with term to expire 12/31/2014. Council Member Kay will fill the unexpired term of Vice Mayor Linda Gorton. Per Sec. 2-424 of the Code of Ordinances, Ms. Lori Houlihan is designated as Co-Chair of the Town and Gown Commission.

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The following Communications from the Mayor were received for information only: (1) Resignation of Charlton Sweazy, Firefighter, Grade 311N, Div. of Fire and Emergency Services, effective February 23, 2014; (2) Resignation of Victor Obonyo, Computer Analyst Supervisor, Grade 117N, Div. of Computer Services, effective February 7, 2014; (3) Resignation of Andrew Gaughenbaugh, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective February 20, 2014; (4) Resignation of Mary Schrader, Client Assessment Counselor, Grade 112N, Dept. of Social Services, effective February 24, 2014; (5) Resignation of Eldrico Clay, Public Service Worker, Grade 106N, Div. of Water Quality, effective February 19, 2014; (6) Resignation of Ronnie Searight, Public Service Worker Sr., Grade 107N, Div. of Water Quality, effective February 12, 2014; (7) Resignation of Ryan Scott, Police Officer - Trainee, Grade 311N, Div. of Police, effective February 27, 2014; (8) Resignation of Kim A. Kammer, Telecommunicator Sr., Grade 113N, Div. of Police, effective February

24, 2014; and (9) Transfer of Jennifer Day, Microcomputer Support Specialist, Grade 113N, Div. of Water Quality, effective March 24, 2014.

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Asst. Chief Mark Barnard, Div. of Police, stated that Officer Sergeant Pete Ford has committed the offense of Misconduct in violation of KRS 95.450 and General Order #73-2/H, Operational Rules, Section 1.02, in that on the 16th day of October, 2013 he was involved in a domestic dispute with his wife at their residence at 3364 Blackford Parkway. Officers were dispatched to the residence at approximately 0019 hours for a domestic violence call and found Sergeant Pete Ford and his wife along with their children. During the call, Sergeant Ford initially refused to come down to speak to the officers; he ultimately came down and stated he was not leaving. He quickly returned upstairs which created a safety concern for officers present. Officers followed him upstairs and remained while his wife was trying to obtain clothing. Sergeant Ford would not comply with officer's directives and requests to rectify the situation. Officers repeatedly pleaded with him trying to de-escalate the situation, but he refused all suggestions to leave. Officers spoke to him about the possible consequences of his actions, especially as a Sergeant. He indicated that it didn't matter. Sergeant Ford's actions, attitude, and demeanor during the entire incident escalated an already difficult situation. Sergeant Ford's actions and demeanor discredited his ability as a member and supervisor of the Division as well as impaired the operation and efficiency of the Division and that the appropriate punishment for this conduct is Written Reprimand and Mandatory EAP.

Upon motion of Ms. Gorton, seconded by Ms. Scutchfield, the disciplinary action was approved by unanimous vote.

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Ms. Henson invited Mr. Clay Mason, Commissioner of the Dept. of Public Safety, to speak concerning the death of a dog in Scott County.

Mr. Mason stated that this incident is under investigation and being taken very seriously.

Ms. Henson asked Mr. Mason if the officer was still on duty. Mr. Mason replied that he was.

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Mr. Adam Jones, Summerville Dr., spoke about the money set aside by the Council for affordable housing in Lexington. He thanked the Council for their allocation. He presented the Mayor with a "Wall of Support" document signed by citizens in support of the allocation.

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Mr. Greg Capillo, Hanover Ave., Kentuckians for the Commonwealth, thanked the Council for the allocation for affordable housing and stated the city needs a dedicated trust fund for the housing matter.

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Mr. Jim Brannon, Paris, KY, spoke concerning the investigation into the death of a dog in Scott County. Mr. Brannon distributed a packet entitled "Justice for Angel" to the Council.

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Ms. Karen Devin, Storey Ct., spoke concerning the investigation into the death of a dog in Scott County.

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Mr. Barry Phillips, Cherry Dr., spoke concerning the investigation into the death of a dog in Scott County. He asked the Police Dept. and Council to take this matter under consideration.

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The Mayor thanked the citizens for coming forward to speak and being advocates for their causes.

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Mr. Ellinger thanked the Council and the Administration for their work on the affordable housing matter.

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Upon motion of Mr. Stinnett, seconded by Ms. Mossotti, and approved by unanimous vote, the meeting adjourned at 8:43 P.M.

Deputy Council Clerk of the Urban County Council